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31 **UNITED STATES DISTRICT COURT**
32 **NORTHERN DISTRICT OF CALIFORNIA**

33 CHASOM BROWN, WILLIAM BYATT,
34 JEREMY DAVIS, CHRISTOPHER
35 CASTILLO, and MONIQUE TRUJILLO
36 individually and on behalf of all others
37 similarly situated,

38 Plaintiffs,

39 v.

40 GOOGLE LLC,

41 Defendant.

42 Case No.: 4:20-cv-03664-YGR-SVK

43 **[PROPOSED] ORDER DENYING**
44 **GOOGLE'S MOTION TO STRIKE (DKT.**
45 **693)**

46 Judge: Hon. Susan van Keulen

1 Before the Court is Google's Motion to Strike Exhibit A to the Mao Declaration in
2 Support of Plaintiffs' Administrative Motion for Relief (Dkt. 693) ("Google's Motion"). For the
3 reasons set forth below, the Court **DENIES** Google's Motion.

4 On August 8, 2022, Plaintiffs filed an administrative motion seeking relief tied to
5 Google's belated production of non-privileged documents, including for example one document
6 where a Google employee admitted that users do not "really understand what they're consenting
7 to when they consent to share browsing history." Dkt. 672 (citing Dkt. 671-15). Plaintiffs
8 attached to their administrative motion a chart ("Exhibit A") (Dkt. 671-3) listing 15 examples of
9 non-privileged documents that Google had withheld.

10 Google now seeks to strike the *entirety* of this Exhibit A chart, contending that the "*entire*
11 *chart* embeds misleading attorney characterizations of the discovery record, and contains self-
12 serving conclusions." Dkt. 693 at 4 (emphasis added)). Google's argument is simply incorrect.
13 Columns one through four of the Exhibit A Chart consist of black-and-white facts about the
14 documents, including their Bates numbers, authors, and specific quotes contained therein.
15 Column five contains direct quotes from prior Google filings. There is no basis for Google's
16 Motion to strike the entire chart. Google's Motion is therefore denied.

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18 **IT IS SO ORDERED.**

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20 Dated: _____

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The Honorable Susan van Keulen
United States Magistrate Judge

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